

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
MONTGOMERY DIVISION**

JEROME W. GRIFFIN, for himself, and a class of African-American employees of the Alabama Gas Corporation who within the two (2) year statutory time limitation were denied job promotions to non-bargaining unit positions, the opportunity for such promotions, and salary increases on account of race, regardless of whether such employees are salaried, hourly, union or non-union workers,

Plaintiffs,

V.

ALABAMA GAS CORPORATION, an
Alabama Corporation,

Defendant.

Civil Action No.

2:06-CV-0365-MEF

MOTION TO AMEND COMPLAINT

Pursuant to Rule 15(a), *F.R.Civ.P.*, Plaintiff **JEROME W. GRIFFIN** hereby moves this Court for leave to file his First Amended Complaint, based upon the following:

1. Section 4 of this Court’s Uniform Scheduling Order dated June 23, 2006, provides Plaintiff until September 1, 2006, to amend his Complaint and to add additional parties.
2. This Motion is filed within the time limitation provided by the Court’s June 23, 2006, Order.
3. Rule 15(a), *F.R.Civ.P.*, provides that leave to amend a complaint “shall be freely given...”.
4. No party shall be prejudiced by the granting of this Motion.

WHEREFORE, PREMISES CONSIDERED, Plaintiff moves the Court for leave to amend his Complaint with Plaintiff's First Amended Complaint, attached hereto as Exhibit "A."

Respectfully submitted,

/s/ Andrew C. Allen

Andrew C. Allen
Attorney for Plaintiff

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CERTIFICATE OF SERVICE

I hereby certify that on this the 1st day of September, 2006, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

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and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants: **Not Applicable.**

/s/ Andrew C. Allen

OF COUNSEL